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# **Notice of Allowability**

Application No.

10/690,898

Examiner

Nader Bolourchi

Applicant(s)

NELSON ET AL.

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/18/2007.
2. ☒ The allowed claim(s) is/are 2-6 and 8-12, renmbered as 2-6, 1, and 7-10, respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*David C. Payne*  
DAVID C. PAYNE  
SUPERVISORY PATENT EXAMINER

## **DETAILED ACTION**

### ***Remarks***

1. Applicant canceling claims 1, 7, 13-15, 17-18, 20-21 is acknowledged.
2. Applicant's amendment dated 10/18/2007 is entered.
3. Claim objections are withdrawn.
4. Claims rejections under 35 USC § 103 are withdrawn.

### ***Response to Arguments***

5. Applicant's arguments, see page 5, filed 10/18/2007, with respect to claims 2-6 and 8-12 have been fully considered and are persuasive. The rejection of claims 2-6 and 8-12 has been withdrawn.

### ***Allowable Subject Matter***

6. Claims 2-6 and 8-12 are allowed.
7. The following is an examiner's statement of reasons for allowance:

The prior arts of record fail to teach or suggest in combination, the arrangement that “  
**a timing error detector sub-circuit having a first input coupled to a symbol rate clock and a second input coupled to a strobe; an oscillator having an input coupled to an output of the timing error-detector sub- circuit and N timing signal outputs for outputting N timing signals in parallel and a second output for outputting the strobe; and at least one fractional interpolator having parallel**

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inputs coupled to N data inputs in parallel and to the N timing signals in parallel, for outputting N data outputs in parallel, wherein N is an integer greater than one or equal to one”, in combination with “wherein the error detector sub-circuit operates to synchronize the strobe to a positive edge of the input that is coupled to the symbol rate clock and comprises: a first state machine for generating and outputting a pulse based on the symbol rate clock; a second and a third state machine in electrical parallel with one another, each having an input coupled to the strobe and to an output of the first state machine; and wherein the oscillator input is coupled to an output of at least one of the second or third state machines.” in order to form “A CIRCUIT FOR RE-SAMPLING N DATA INPUT”, as recited in claim 8, and further limitation of their respective dependent claims 2-6, and 9-12.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

#### ***Contact Information***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nader Bolourchi whose telephone number is (571) 272-8064. The examiner can normally be reached on M-F 8:30 to 4:30.

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10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David. C. Payne can be reached on (571) 272-3024. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

Nader Bolourchi  
NB  
10/25/2007

  
DAVID C. PAYNE  
SUPERVISORY PATENT EXAMINER